

# **FISCAL NOTE**

## **HB 1113 - SB 1268**

March 13, 2003

### **SUMMARY OF BILL:**

- Defines patients, licensed pharmacists, or licensed pharmacies as "consumers" and provides that it is an unfair or deceptive act under the *Tennessee Consumer Protection Act of 1977* for a health insurance issuer or managed health insurance issuer to violate the provisions of TCA 56-7-2359. This act in part prohibits any health insurance plan from:
  - (1) denying any licensed pharmacy or licensed pharmacist the right to participate as a participating provider in any policy, contract or plan on the same terms and conditions as are offered to any other provider of pharmacy services under the policy, contract or plan.
  - (2) preventing any person who is a party to or beneficiary of any policy, contract or plan from selecting a licensed pharmacy of such person's choice to furnish the pharmaceutical services offered under any contract, policy or plan if the pharmacy is a participating provider.
- Provides that violations of the *Tennessee Consumer Protection Act of 1977* may be punishable through civil penalties and private rights of action.

### **ESTIMATED FISCAL IMPACT:**

**Increase State Revenues - Not Significant**

**Increase State Expenditures - Not Significant**

Estimate assumes any increase in state revenues from collection of civil penalties and any increase in state expenditures to implement and monitor provisions of this bill is estimated to be not significant.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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